

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION**

**JAMES E. GRAHAM II; DENNIS ADKINS;
ROGER WRISTON; and DAVID B. POLK;
on behalf of themselves and
others similarly situated; and
UNITED MINE WORKERS OF AMERICA
INTERNATIONAL UNION,**

Plaintiffs,

v.

CIVIL ACTION NO. 1:19-cv-00597

**JUSTICE ENERGY CO. INC.;
KEYSTONE SERVICE INDUSTRIES, INC.;
BLUESTONE COAL CORPORATION;
DOUBLE-BONUS COAL CO.; and
SOUTHERN COAL CORPORATION,**

Defendants.

**JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT
AND PERMANENT INJUNCTION**

Plaintiffs James E. Graham II; Dennis Adkins; Roger Wriston; David B. Polk, on behalf of themselves and others similarly situated; and the United Mine Workers of America, International Union (“Plaintiffs”) and Defendants Justice Energy Co. Inc.; Keystone Service Industries, Inc., Bluestone Coal Corporation; Double-Bonus Coal Co.; and Southern Coal Corporation (“Defendants”), hereby jointly move this Court for entry of a Consent Judgment and Permanent Injunction against Defendant pursuant to Section 301 of the LMRA, 29 U.S.C. § 185 and Rule 65 of the Federal Rules of Civil Procedure. A proposed Consent Judgment and Permanent Injunction approved and consented to by all parties hereto, is submitted concurrently herewith. The parties, having resolved their differences by, among other things, agreeing to this submission, hereby

respectfully submit that good cause exists for entering the judgment and permanent injunction as requested, and request that the Court enter the foregoing at its earliest convenience.

Dated: March 5, 2021

Respectfully Submitted,

/s/ Kevin F. Fagan

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